

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BRIAN HAYHURST, individually on behalf of
all others similarly situated,

Plaintiff,

v.

KELLER WILLIAMS REALTY, INC., a Texas
corporation,

Defendant.

NO. 1:19-cv-00657

**JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE OF THE SECOND
CLAIM FOR RELIEF BY HAYHURST**

COME NOW the Plaintiff and Defendant, by and through their undersigned attorneys,
and hereby stipulate and agree pursuant to Fed. R. Civ. Pro. 41(a)(1)(A)(ii) that (i) the Second
Claim for Relief shall be dismissed without prejudice as to Plaintiff; and (ii) the Autodialed No
Consent Class claims are stricken from this case.

Each party to bear its own fees and costs.

DATED: October 5, 2021

Respectfully submitted,

/s/ Avi R. Kaufman

Avi R. Kaufman

KAUFMAN P.A.

kaufman@kaurmanpa.com

400 NW 26th Street

Miami, FL 33127

Telephone: 305.469.5881

LAW OFFICES OF STEFAN COLEMAN, P.A.

Stefan Coleman

law@stefancoleman.com

201 S. Biscayne Blvd, 28th Floor

Miami, FL 33131

Telephone: 877.333.9427/Fax: 888.498.8946

/s/ Ted Johnson

Ted Lewis Johnson

North Carolina State Bar # 39791
PO Box 5272
Greensboro, NC 27435
Telephone: (336) 252-8596
Email: tedlewisjohnson@tedlewisjohnson.com
Local Civil Rule 83.1(d) Counsel for Plaintiff

*Attorneys for Plaintiff Hayhurst and the putative
Classes*

/s/ Todd P. Stelter
John P. Ryan (*Notice of Special Appearance*)
Todd P. Stelter (*Notice of Special Appearance*)
HINSHAW & CULBERTSON LLP
151 N. Franklin St., Suite 2500
Chicago, Illinois 60606
Telephone: 312-704-3000
Facsimile: 312-704-3001
Counsel for Defendant Keller Williams Realty, Inc.

/s/ Caren D. Enloe
Caren D. Enloe
SMITH DEBNAM NARRON DRAKE SAINTSING
& MYERS LLP
NC State Bar No. 17394
P.O. Box 176010
Raleigh, NC 27619-6010
Telephone: 919-250-2000
Facsimile: 919-250-2124
*Local Rule 83.1(d) Counsel for Defendant Keller
Williams Realty, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 5, 2021, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which is being served this day on all counsel of record via transmission of Notice of Electronic Filing generated by CM/ECF.

/s/ Avi R. Kaufman